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and the putative classes*

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

TAYLOR STUBBINS, on behalf of herself
and all other similarly situated individuals,

Plaintiff,

vs.

SPRING VALLEY HOSPITAL
MEDICAL CENTER; VALLEY HEALTH
SYSTEMS, INC.; UNIVERSAL HEALTH
SERVICES, INC., and DOES 1 through
50, inclusive,

Defendant(s).

Case No.: 2:24-cv-01673-EJY

**[PROPOSED] ORDER GRANTING
PLAINTIFF'S MOTION FOR
CIRCULATION OF NOTICE PURSUANT
TO 29 U.S.C. § 216(b)**

Plaintiff's Motion for Circulation of Notice pursuant to 29 U.S.C. § 216(b) came on hearing by this Court on _____, at _____, or soon thereafter, before the Honorable Elayna J. Youchah of the above-named court, located at 333 Las Vegas Blvd. South, Las Vegas, NV 89101. After considering all papers filed in support of and in opposition to the motion, arguments of counsel, and all other matters presented to this Court, and for good cause shown, the Court rules as follows:

IT IS HEREBY ORDERED that Plaintiff's Motion for Circulation of Notice pursuant to 29 U.S.C. § 216(b) is hereby GRANTED.

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1 **IT IS FURTHER ORDERED** that Thierman Buck is appointed as Class Counsel for the
2 FLSA Class.

3 **IT IS FURTHER ORDERED** that Plaintiff TAYLOR STUBBINS is appointed as the
4 Class Representative of the FLSA Class.

5 **IT IS FURTHER ORDERED** that the Consent to Join form is approved.

6 **IT IS FURTHER ORDERED** that the Notice is approved.

7 **IT IS FURTHER ORDERED** that the Notice of this lawsuit shall be sent to all
8 nonexempt hourly paid patient care employees or other similar job title employed by SPRING
9 VALLEY HOSPITAL MEDICAL CENTER; VALLEY HEALTH SYSTEMS, INC.;
10 UNIVERSAL HEALTH SERVICES, INC., (“DEFENDANTS”) at any time from September 10,
11 2021, to the present who clocked in and out using the KRONOS Timekeeping system and were
12 provided with an electronic mobile device (“Cerner Mobile Device”) which you were required to
13 keep on your person at all times during your shift.

14 **IT IS FURTHER ORDERED** that, within twenty-one (21) days of the issuance of this
15 ORDER, Defendants shall provide Plaintiff’s counsel with a list in computer-readable format of:
16 (a) the full name; (b) current home address or last known address; (c) telephone number; and (d)
17 email address of each person who falls within the definition set forth in the paragraph directly
18 above.

19 **IT IS FURTHER ORDERED** that, within twenty-eight (28) days of the issuance of this
20 ORDER, Plaintiff’s counsel or a Claims Administration company that Plaintiff’s counsel selects
21 to process mailing and opt-in forms (hereinafter collectively referred to as “Claims
22 Administrator”) shall: (1) mail a Notice, a Consent to Join form, and a postage pre-paid envelope
23 to each person identified on the list disclosed in the above paragraph, and (2) email a Notice and
24 a Consent to Join form to each person identified on the list disclosed in the above paragraph and
25 provide a response address to return Consent to Join forms.

26 **IT IS FURTHER ORDERED** that any person who wishes to opt into this lawsuit shall
27 complete the Consent to Join form and return it to Plaintiff’s counsel or the Claims Administrator
28 via U.S. Mail or electronically.

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1 **IT IS FURTHER ORDERED** that, in the event any packet is returned undeliverable, the
2 Claims Administrator shall, within fourteen (14) days thereafter, take requisite steps to obtain an
3 alternate address for that addressee and mail the notice packet to that alternate address. The
4 Claims Administrator shall keep a record of: (a) the date on which any notice packet is returned
5 undeliverable; (b) the date on which the undeliverable notice packet is sent to an alternate address;
6 and (c) any updated addresses.

7 **IT IS FURTHER ORDERED** that Plaintiff's counsel shall file with the Court a list of
8 people who timely return their Consent to Join forms in a timely manner.

9 **IT IS FURTHER ORDERED** that the status of limitations for submitting a consent to
10 join form is tolled as of the date of the submission of Plaintiff's Motion for Circulation of Notice
11 pursuant to 29 U.S.C. § 216(b) up to and including the deadline for potential opt-in plaintiffs to
12 file their respective consents to join.

13 **IT IS SO ORDERED.**

14 DATED: _____

HON. ELAYNA J. YOUCHAH
UNITED STATES MAGISTRATE JUDGE